

EXHIBIT 23

ROY STORIE - March 04, 2014

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STEPHEN McCOLLUM, STEPHANIE *
KINGREY, and SANDRA *
McCOLLUM, individually and as *
heirs at law to the Estate of *
LARRY GENE McCOLLUM, *

PLAINTIFFS *

vs. *

CIVIL ACTION NO.
3:12-CV-02037

BRAD LIVINGSTON, JEFF PRINGLE, *
RICHARD CLARK, KAREN TATE, *
SANDREA SANDERS, ROBERT EASON, *
the UNIVERSITY OF TEXAS *
MEDICAL BRANCH and the TEXAS *
DEPARTMENT OF CRIMINAL JUSTICE *

DEFENDANTS *

ORAL 30(B)6 DEPOSITION OF ROY STORIE
March 4th, 2014

ORAL 30(B)6 DEPOSITION OF ROY STORIE, produced
as a witness at the instance of the Plaintiffs and duly
sworn, was taken in the above-styled and numbered cause
on the 4th day of March, 2014, from 10:10 a.m. to 1:12
p.m., before Curtis High, Certified Shorthand Reporter
in and for the State of Texas, reported by computerized
stenotype machine at the Hutchins Unit of the Texas
Department of Criminal Justice, 1500 E. Langdon Road,
Dallas, Texas 75241, pursuant to the Federal Rules of
Civil Procedure and the provisions stated on the record
or attached hereto.

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APPEARANCES

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1 ROY STORIE,
2 having been first duly sworn, testified as follows:

3 (On the record at 10:10 a.m.)

4 EXAMINATION

5 BY MR. MEDLOCK:

6 Q Sir, can you please state your name for the
7 record?

8 A Roy Storie.

9 Q Mr. Storie, my name is Scott Medlock. Do you
10 understand that I am an attorney and I represent the
11 family of Larry G. McCollum, the Plaintiffs in this
12 case?

13 A Yes.

14 Q And you understand this suit has been brought
15 by them against TDCJ and various officers of the agency?

16 A Yes.

17 Q Mr. Storie, have you ever been deposed or
18 testified before?

19 A No.

20 Q I am going to go over kind of some rules of the
21 road then with you. The point of this is to make sure
22 that you and I are on the same page so if you have any
23 questions about what I am talking about now just let me
24 know so that we can make sure that we are all on the
25 same page, okay?

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1 Q Okay. From -- are you aware of any discussion
2 about using portable air-conditioning units in the dorms
3 at the Hutchins Unit?

4 A No, sir.

5 Q Okay. Are you aware of any studies on the cost
6 of putting air-conditioning in any part of the Hutchins
7 Unit?

8 A No, sir.

9 Q Are you aware of any studies on the cost of
10 putting air-conditioning in any part of the Texas
11 Department of Criminal Justice?

12 A No, sir.

13 MR. MEDLOCK: Take a quick break?

14 MR. GARCIA: Sure.

15 (Recess from 1:04 p.m to 1:09 p.m.)

16 (Exhibit 11 marked and attached.)

17 Q (By Mr. Medlock) Mr. Storie, I have handed you
18 a document marked Exhibit 11.

19 A Yes, sir.

20 Q Is that the temperature logs that we were
21 talking about earlier today? They are recorded between
22 6:30 a.m. and 6:30 p.m.; is that right?

23 A Yes.

24 Q Do you actually review this document at any
25 point or are you just aware that they keep these

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1 temperature logs?

2 A No, I monitor it and make sure that they are
3 actually recording the temperatures and the humidity.

4 Q Okay. How do you monitor it? Like do you look
5 at these daily, weekly?

6 A It's usually daily. Now I may, you know, miss
7 a day or two during the week depending on what is going
8 on.

9 Q Uh-huh.

10 A But I try to monitor it. Like when I come in
11 in the morning I ask for the log.

12 Q That's kind of on your list of things that you
13 do every day?

14 A Yes.

15 Q And are you doing it more to see what the
16 temperature is or to see that the temperatures are being
17 recorded?

18 A I am doing it more to see that the temperatures
19 are being recorded because I am probably aware of what
20 the temperatures are and have been.

21 Q Okay. That's from just doing your job as the
22 Risk Manager?

23 A Correct.

24 Q I want you to go to the Page 1492. You see
25 there a page number at the bottom right-hand corner?

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1 A Uh-huh, okay.

2 Q There are some numbers there in the middle of
3 the page, 149 degrees plus. Do you see that?

4 A Yes.

5 Q Do you have any reason to dispute that those
6 readings are accurate?

7 A Well, doesn't seem to be. I would have to
8 cross index it on our chart. With 65 percent humidity.
9 Yes, sir, it appears it's going to be accurate.

10 Q Okay. You have no reason to dispute the
11 accuracy of those numbers at least?

12 A I am referring to the chart and the chart
13 indicates it's the same as what is on the log.

14 Q Okay. And that's the only way you know to
15 determine the heat index is from looking at the matrix
16 that is marked Exhibit 1?

17 A Correct.

18 MR. MEDLOCK: Okay. I will pass the
19 witness.

20 MR. GARCIA: Nothing further or no
21 questions at this time. That's it. Erika?

22 MS. HIME: We will reserve our questions
23 for trial.

24 MR. GARCIA: We are done.

25 (Proceedings concluded at 1:12 p.m.)

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CHANGES AND SIGNATURE

PAGE

LINE

CHANGE

REASON

WRIGHT WATSON & ASSOCIATES, LLC
(512) 474-4363

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1 I, ROY STORIE, have read the foregoing
2 deposition and hereby affix my signature that same is
3 true and correct, except as noted above.

4
5
6 ROY STORIE
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1 STATE OF TEXAS

2 COUNTY OF DALLAS

3 REPORTER'S CERTIFICATE

4 ORAL DEPOSITION OF ROY STORIE

5 March 4th, 2014

6 I, the undersigned Certified Shorthand Reporter
7 in and for the State of Texas, certify that the facts
8 stated in the foregoing pages are true and correct.

9 I further certify that I am neither attorney or
10 counsel for, related to, nor employed by any parties to
11 the action in which this testimony is taken and,
12 further, that I am not a relative or employee of any
13 counsel employed by the parties hereto or financially
14 interested in the action.

15 SUBSCRIBED AND SWORN TO under my hand and seal
16 of office on this the 11th day of March, 2014.

17 
18
19

CURTIS HIGH, CSR NO. 484

20 Expiration Date: 12/31/14

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